

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

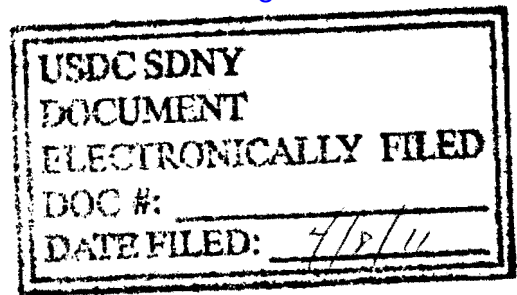
DENNIS PAIGE,

Plaintiff,

v.

SERGEANT TODD MOSKALIK-D11-1778,
DETECTIVE DENNIS DOHERTY, DETECTIVE
GERMAN LOPEZ, POLICE OFFICER DAVID
CARDENAS,

Defendants.



07 Civ. 7381 (RO)

ORDER

OWEN, District Judge:

Pro se Plaintiff brought this action on August 20, 2007, against two unknown officers from the White Plains Police Department under 42 U.S.C. § 1983. Plaintiff subsequently filed an Amended Complaint, substituting Sergeant Todd Moskalik and Detective Dennis Doherty for two of the John Doe officers, while adding Detective German Lopez and Police Officer David Cardenas. Plaintiff alleges that on or about September 5, 2005, he was arrested by the named officers falsely, and that the named officers conspired to do so. Plaintiff also alleges that he was maliciously prosecuted up until the criminal charge against him was dismissed on December 21, 2005. Plaintiff further alleges that Defendant Sergeant Moskalik defamed Plaintiff by speaking of the arrest to the media. Defendants have moved for summary judgment, under Federal Rule of Civil Procedure 56.

Magistrate Judge George Yanthis issued a Report and Recommendation (the "Report") on April 28, 2010. Plaintiff did not file objections to the Report. On August 2, 2010, this case was transferred to this Court.

United States Magistrate Judges hear dispositive motions and make proposed findings of fact and recommendations, generally in the form of a Report and Recommendation. District courts review those orders under a clearly erroneous or contrary to law standard of review. 28 U.S.C. § 636(b)(1)(A). In the event that a party files objections to the magistrate judge's recommendations, district courts conduct a *de novo* review of those matters to which a party filed an objection. *Id.* § 636(b)(1)(B), (C). *First Union Mortgage Corp., v. Smith*, 229 F.3d 992, 995 (10th Cir. 2000). Where no timely objection has been made by either party, a district court need only find that "there is no clear error on the face of the record" in order to accept the Report and Recommendation. *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985) (citations omitted).

This Court has reviewed the Report and Recommendation of Magistrate Judge Yanthis and finds that it is well-reasoned and supported by law. Accordingly, this Court adopts it in its entirety. Defendants' motion for summary judgment is hereby GRANTED and Plaintiff's claims are DISMISSED in their entirety.

SO ORDERED.

April 7, 2011



RICHARD OWEN
UNITED STATES DISTRICT JUDGE